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August 20, 2012

VIA PACER ONLY TO:

Edward M. Chen,
U.S. District Court Judge
N.D. Cal.

Re: *Freeman v. ABC Legal Services, Inc.*

Case: C-11-3007 EMC

Related cases:

C-11-3542 EMC,
C-11-3805 EMC,
C-11-3824 EMC,
C-11-5152 EMC,
C-12-0624 EMC,
C-12-0642 EMC,
C-12-0644 EMC,
C-12-0678 EMC,
C-12-1693 EMC,
C-12-1696 EMC,
C-12-1904 EMC,
C-12-1911 EMC, and
C-12-1914 EMC

Request for authorization to file motion to dismiss

Dear Judge Chen,

On May 25, 2102, you instructed the parties to obtain advance approval before filing any motions in these cases. We are requesting authorization to file a motion to dismiss all of the cases because:

- On July 3, 2012, you gave Plaintiffs 30 days to file an amended complaint;
- On July 24, 2012, you denied Plaintiffs request for additional time to file an amended complaint; and
- As of today's date, no amended complaints are on file.

The basis for the motion to dismiss is that Plaintiffs have failed to comply with the Court's July 3, 2012, and July 24, 2012 orders. FRCP, Rule 41(b) (dismissal with prejudice for failure to comply with any order of the court); and *Yourish v. California Amplifier*, 191 F.3d 983, 986-87 (failure to amend complaint after leave to amend granted).

Respectfully submitted,
WEISBERG & MILLER

/s/

Kenneth J. Sperandio, Jr.